

REMARKS

By this amendment, Applicants have amended claim 17. As a result, claims 1, 3-11, 13, 15 and 17 remain pending in this application. This amendment is being made to facilitate early allowance of the presently claimed subject matter. Applicants do not acquiesce in the correctness of the objections and rejections and reserve the right to pursue the full scope of the subject matter of the original claims, or claims that are potentially broader in scope, in the current and/or a related patent application. Reconsideration in view of the following remarks is respectfully requested.

In the Office Action, the Office rejects claim 17 under 35 U.S.C. § 101 as allegedly being directed to non-statutory subject matter. In particular, the Office alleges that the claimed invention is directed to a signal. Applicants have amended claim 17 to recite a storage medium. It is believed that this rejection is no longer valid.

Further, the Office rejects claims 1, 3-11, 13, 15 and 17 under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Patent No. 7,277, 960 (Andrzejak). Applicants have submitted a declaration under 37 C.F.R. 1.131 establishing conception and reduction to practice of the claimed invention prior to the filing date of Andrzejak. Therefore, Andrzejak is no longer available as a prior art reference and the rejection of claims 1, 3-11, 13, 15 and 17 can be removed.

In light of the above, Applicants respectfully submit that all claims are in condition for allowance. Should the Examiner require anything further to place the application in better condition for allowance, the Examiner is invited to contact Applicants' undersigned representative at the number listed below.

Respectfully submitted,

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